UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1997/224
14 March 1997

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL PURSUANT TO
SECURITY COUNCIL RESOLUTION 1088 (1996)

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 28 of Security Council resolution 1088 (1996) of 12 December 1996. It summarizes the activities of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) since my predecessor's last report of 9 December 1996 (S/1996/1017). It also provides an updated overview of the activities of the United Nations system in Bosnia and Herzegovina during the same period.

2. On 11 February 1997, Mr. Kai Eide (Norway) assumed his duties as my Special Representative and Coordinator of United Nations Operations in Bosnia and Herzegovina. On 3 March, Mr. Manfred Seitner took over as Commissioner of the International Police Task Force (IPTF).

II. ACTIVITIES OF THE MISSION SINCE 9 DECEMBER 1996

International Police Task Force

3. The strength of IPTF has remained at the authorized level of 1,721, with some fluctuations due to the rotations of monitors in and out of the mission (see annex). IPTF operates from 54 stations organized into 14 districts and 3 regions. Owing to the increase in tension in Mostar, and following the decision of the High Representative to establish a regional office there, IPTF has designated Mostar as a fourth region. This has ensured that IPTF regions match those of the High Representative and should further improve the coordination of activities.

4. Monitoring the activities of the police throughout the country has remained the major focus of IPTF. Another important focus of attention has been the return of refugees to villages in the zone of separation. Working with the Stabilization Force (SFOR), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Office of the High Representative, IPTF takes part in a number of international housing commissions to process return applications

for those areas. IPTF has had to devote substantial resources to the villages into which returns are planned, and its efforts have resulted in the return of Republika Srpska police to these villages.

5. In the days preceding the 14 February 1997 announcement of the award of the Arbitral Tribunal established under annex 2 of the General Framework Agreement for Peace in Bosnia and Herzegovina, tensions rose in the Brcko area. IPTF enhanced its presence in the region prior to the announcement and obtained the agreement of the Ministers of the Interior of the Federation and the Republika Srpska to police demonstrations in order to prevent violence in the aftermath of the decision. This planning greatly facilitated the policing of the area by the entities following the announcement, and no major incidents occurred.

6. The restructuring of the police in the Federation has continued. The first of the new cantonal police forces was put into place in Sarajevo in February, and other cantonal police force will be in place in April. The vetting and training process of recruits has been widespread and successful. As a result of the reduction in the number of police officers - almost 900 in Sarajevo alone - only professionally trained police are being retained in the force.

7. With substantial assistance from IPTF, a plan for an integrated Federation Ministry of the Interior was completed in January. The process of merging the former separate Bosniac and Croat ministries is well under way.

8. In the Republika Srpska, a plan to improve and restructure the police was submitted to IPTF by the Ministry of the Interior on 31 January, as required by the Conclusions of the second Peace Implementation Conference, held in London on 4 and 5 December 1996 (the "London Conference"). While including most aspects of the restructuring proposals recommended by IPTF, the plan does not envisage the publication of the names of potential police officers, which the Republika Srpska considers to be a "state secret". IPTF staff are working with the Republika Srpska authorities to encourage them to correct this shortcoming.

9. A course on executive (VIP) protection, designed by the Irish police at the request of IPTF, is being held in Ireland in mid-March for the benefit of a multi-ethnic group of police officers from the Federation and the Republika Srpska responsible for protecting members of the Presidency of Bosnia and Herzegovina. This is the first training exercise involving police officers from both entities.

10. In mid-February, following violence during a visit by Bosniacs to a cemetery in West Mostar, IPTF conducted its first investigation of human rights violations by the local police. The IPTF report, which documented serious violations by the Bosnian Croat Police, as well as unprofessional policing practices on both sides, was presented to the High Representative, who then issued a series of demands for action by national and local officials (S/1997/201). Key findings of the IPTF report were also presented to the Security Council (S/1997/204), which, in a presidential statement of 11 March 1997 (S/PRST/1997/12), inter alia expressed full support for the conclusions drawn from the report by the Office of the High Representative and demanded that the responsible authorities, notably in West Mostar, immediately implement the relevant conclusions.

11. At the Brcko Implementation Conference, held at Vienna on 6 and 7 March, my Special Representative presented proposals for international policing in Brcko. These proposals take into account the fact that the arbitration award calls for the monitoring, restructuring and retraining of the police in the Brcko area with an intensity far beyond that in other parts of the country. The proposals, endorsed by the Conference, provide for the placement of one IPTF monitor in every police patrol in the jurisdiction while they work, in addition to rapid initiation of police restructuring, training and human rights activities. Implementation of the proposals would require the deployment of an additional 186 IPTF monitors, together with 11 civilian personnel.

12. It will be recalled that, in the Conclusions of the London Conference, IPTF was given additional responsibilities relating to the investigation of human rights abuses by local police forces. These additional tasks were endorsed by the Security Council on 12 December 1996 in its resolution 1088 (1996). In his report of 9 December 1996 (S/1996/1017), my predecessor indicated that he would submit proposals for an increase in the strength of IPTF after the IPTF Commissioner had evaluated the implications of the requests made by the London Conference.

13. A thorough assessment by the IPTF Commissioner has now determined that in order to carry out, in a satisfactory manner, the additional and existing tasks relating to human rights investigation, monitoring of the local police, strengthening of police training, police restructuring and the development of guidelines for democratic principles, IPTF will have to move from a police force with primarily generalist functions to one with a substantial number of police experts in specialized fields. However, it will remain necessary for IPTF to maintain a sufficient monitoring presence throughout the country to provide an oversight of field activities necessary to prevent violations of international standards of human rights and democratic policing. It will also be necessary for IPTF to continue to monitor key locations, such as Mostar, the resettlement areas of the zone of separation and other areas where substantial tensions still exist.

14. IPTF has already begun a process of consolidating its personnel by eliminating some stations and replacing them with smaller teams in communities where there are only isolated police problems. However, even with these management improvements, it is the Commissioner's assessment that 120 additional personnel will be needed if IPTF is to have sufficient personnel to implement the human rights, training and restructuring aspects of its mandate, and if its monitoring capacity is not to be reduced below acceptable levels.

Civil Affairs

15. A total of 49 Civil Affairs officers are deployed at UNMIBH headquarters, the four regional headquarters (Sarajevo, Banja Luka, Mostar and Tuzla) and at a liaison office in Pale. District offices are spread across the four regions so as to maximize presence in the field.

16. All components of Civil Affairs provide support to IPTF, analyse and report on local political events and trends, and make available good offices for local confidence-building and problem-solving.

17. Recent special assignments of Civil Affairs officers have included deployment to Brcko during the announcement of the arbitration decision, assisting IPTF investigations throughout Bosnia and Herzegovina, assisting the Office of the High Representative and UNHCR in reducing tension in the zone of separation around Tuzla and enhancing international cooperation in Mostar. Civil Affairs officers also continue to serve as an initial point of contact for local knowledge and references for members of the Office of the High Representative, SFOR, the Organization for Security and Cooperation in Europe (OSCE) and other international organizations.

Mine Action Centre

18. The Conclusions of the London Conference included a commitment by the authorities in Bosnia and Herzegovina to take responsibility for the organization of civilian mine clearance operations and to establish, with the assistance of the Mine Action Centre (MAC), a fully representative Bosnia and Herzegovina Commission for Demining by 31 January 1997. The purpose of the Commission was to channel resources to the entities for mine-clearance operations, to maintain a central database and mapping facility, to set standards for mine-clearance operations and to coordinate mine-clearance projects that cross the inter-entity boundary line. Although the Council of Ministers has established a working group to make proposals for the establishment of the Commission, it has yet to take action on the latter's recommendations.

19. In addition to encouraging and assisting the authorities in setting up the Commission, the Mine Action Centre has taken initiatives to address problems which had delayed the implementation of the Mine Action Plan in 1996. Regional offices of MAC, alongside offices established by the two entities, are expected to be operational by the end of March.

20. MAC continues to assist the European Commission, the World Bank, the Government of the United States of America and Norwegian Peoples' Aid with their respective mine-clearance programmes. Close liaison has been established with SFOR, which has provided a Liaison Officer to MAC. SFOR will move its mine awareness cell in Zagreb to the MAC office in Sarajevo and each of its multi-national divisions will provide liaison officers to MAC to facilitate the flow and analysis of information.

21. It is anticipated that some 1,000 deminers will be working in programmes coordinated by MAC by 15 May 1997. This figure is well short of the target of 2,000 established in the United Nations consolidated appeal of November 1996. Further voluntary contributions are therefore urgently required to train and employ additional deminers and to enable the existing programmes to continue beyond 15 May 1997, when available funds will be exhausted.

Trust Fund Unit

22. The Trust Fund Unit, established under Security Council resolution 900 (1994) and transferred to UNMIBH from the Office of the Special Coordinator for Sarajevo in 1996, continues to monitor 52 ongoing projects in Sarajevo, many of which are nearing completion. The Unit also manages the Quick Impact Fund

which has financed more than 40 small projects in Sarajevo. Of the US$ 20.5 million deposited into the fund since 1994, approximately $2.5 million remain uncommitted and are being programmed to support United Nations agencies involved in the reconstruction of Sarajevo.

III. ACTIVITIES OF THE UNITED NATIONS SYSTEM

United Nations Development Programme

23. The United Nations Development Programme Country Cooperation Framework for Bosnia and Herzegovina was finalized in mid-January 1997. This cooperation framework covers three main areas: area-based development to build capacities at the community level in order to promote the effective utilization of resources for construction and development; support to national sustainable human development reconstruction programmes; and policy advisory support at different decision-making levels. UNDP presently has a series of ongoing projects in the above areas including area/community development projects in northwest Bosnia and Herzegovina and a project that promotes direct collaboration between Bosnian and Italian municipalities and regions. Projects are also ongoing in the health, education, employment and agricultural sectors, and policy advisory support is being given for the elaboration of a medium- and long-term transition strategy. Support to the judiciary is also under way.

United Nations Educational, Scientific and Cultural Organization

24. The United Nations Educational, Scientific and Cultural Organization (UNESCO) has set up a partnership with the Council of Europe, the United States Information Service (USIS) and the American Federation of Teachers for the establishment of civic education programmes in schools in the Federation. It is also preparing repair projects for schools in Mehurici, Sanski Most and Bihac. In addition, UNESCO has completed a second mission devoted to the overview of the education system in the Republika Srpska and, in cooperation with the International Management Group, is assisting the authorities to establish priorities in school reconstruction for the international donor community. In the field of cultural heritage, UNESCO is preparing a rehabilitation plan for the Old Town of Mostar.

United Nations High Commissioner for Human Rights

25. The Office of the United Nations High Commissioner for Human Rights has organized three missions of the Special Rapporteur of the Commission on Human Rights to Republika Srpska, central Bosnia and the Mostar region. Particular attention has been devoted to the strengthening of the rule of law, the right of return, the situation of vulnerable groups, and discrimination based on religious, ethnic and political grounds. The Office has also provided administrative and technical support to the United Nations Expert on Missing Persons.

26. The Office of the United Nations High Commissioner for Human Rights has participated in efforts aimed at strengthening cooperation between human rights agencies, in particular in the work of the Steering Board of international human

rights organizations under the auspices of the High Representative. Human rights experts from the Office supervise a trial-monitoring project and participate in institution-building efforts and initiatives aimed at strengthening the rule of law. Close cooperation has been established and joint missions have been undertaken with Federation Ombudsmen. The Office continues to provide human rights training to IPTF monitors.

Office of the United Nations High Commissioner for Refugees

27. In the period under review, UNHCR has continued to implement annex 7 of the General Framework Agreement on Peace in Bosnia and Herzegovina. Efforts have specifically been concentrated on the preparation of a working document on the repatriation and return of refugees and displaced persons to Bosnia and Herzegovina in 1997. The document is intended to contribute to discussions during the Consultative Meetings on Repatriation to Bosnia and Herzegovina, which will be held at Geneva on 20 March 1997, and contains a range of assumptions and information relating to planning by UNHCR for the return. Once the document is finalized in early April, in consultation with the authorities of both entities, host States and interested organizations, it will form the basis for UNHCR action in the coming year and will be adjusted as necessary to reflect the evolution of the situation on the ground. It will also form part of a plan of action for a durable solution to the problem of refugees and displaced persons for the region as a whole, including Croatia and the Federal Republic of Yugoslavia. The regional plan will contain a range of solutions, including repatriation, return to homes of origin, voluntary relocation, local integration and resettlement abroad.

28. The document for Bosnia and Herzegovina gives priority to repatriation from abroad and return of displaced persons to majority areas (i.e., return of Bosnian Muslims to currently Bosniac-administered areas of the Federation, of Bosnian Croats to currently Bosnian Croat-administered areas of the Federation, and of Bosnian Serbs to the Republika Srpska). However, it foresees that UNHCR will continue its efforts to facilitate the return of displaced persons within the country to their former residences in areas of entities where they do not form part of the majority. Implementation of the procedures for return in the zone of separation will continue, and a process for return to Brcko following the award of the arbitral tribunal for the dispute over the inter-entity boundary in the Brcko area will be developed.

29. All the confidence-building measures begun in 1996, such as the inter-entity bus services, the meetings of local working groups on return and assessment visits of displaced persons to their home area will also be pursued.

30. Given the great need to gather all information related to repatriation and return in one place and make it easily available to asylum countries, local authorities, refugees, displaced persons, international organizations and non-governmental organizations, among others, UNHCR is setting up a Sarajevo-based Repatriation Information Centre, which will be operational by the end of March. The centre will serve as a clearing house for the sharing of information to ensure that repatriation is planned, taking due account of shelter absorption capacity, ongoing reconstruction efforts and the availability

of basic infrastructure, as well as security and human rights factors affecting repatriation.

World Bank

31. The World Bank has increased its assistance to Bosnia and Herzegovina to finance urgent economic reconstruction projects. New projects to rebuild hospitals, finance new small businesses and insure investments by foreign investors against non-commercial risks have been approved. The World Bank has also completed the preparation of projects that aim at revitalizing the forest sector and wood-processing industry and support the reconstruction of schools. As of the end of 1996, the World Bank had approved 16 emergency reconstruction projects for Bosnia and Herzegovina, committing some $358 million of concessional funds, of which more than $200 million have already been disbursed for reconstruction and balance-of-payments support.

32. For 1997, the World Bank intends to continue its active assistance aimed at sustaining economic reconstruction, supporting the return of refugees, building the institutions needed for economic growth and helping Bosnia and Herzegovina in its transition to a market economy. On the World Bank's support agenda are projects that would help restructure and privatize banks and enterprises and establish viable public financial structures along with reconstruction projects in the electric power, transport and gas sectors. All of these projects would benefit both entities. The Bank is also preparing a reconstruction operation, aimed specifically at the Republika Srpska, to rebuild housing, water and electric power infrastructure and to support small-scale farming.

World Food Programme

33. The World Food Programme (WFP) has started to implement its new food aid programme strategy for Bosnia and Herzegovina, which targets the most vulnerable members of the community and ensures that they receive the food aid they need. In the light of improved conditions for many people, a reassessment of the beneficiary caseload is being undertaken in conjunction with the relevant local authorities. As a result of this reassessment and a re-categorization of beneficiaries, the caseload will be reduced from over 2 million people in November 1996 to approximately 1.7 million this month. As the reassessment process continues, this figure will be reduced further. In addition, WFP aims to encourage and enable beneficiaries to move away from direct food handouts. Small-scale, short-term activities that could be supported with food aid commodities to generate employment and promote self-sufficiency are being assessed.

34. WFP has also provided supplementary food items for over 112,000 highly vulnerable individuals throughout the country. These programmes will continue until the end of the winter.

World Health Organization

35. The World Health Organization (WHO) has initiated several health activities aimed at reconciliating the various communities. Health professional groups, under the guidance and encouragement of WHO, have begun meeting together to

address specific health concerns. Health authorities at various levels have held discussions about formal health mechanisms that may improve the delivery of health services to the entire population. At the highest levels, these mechanisms are being detailed in the entities' strategic plans for reforming and reconstructing the health systems. Comprehensive draft health laws, based upon principles of family medicine, are near completion.

36. WHO has continued to coordinate the health sector and to monitor the health situation. Public health guidance is provided to the local authorities. Health workers in various sub-sectors are receiving training and support. Physical and mental rehabilitation programmes are ongoing through community-based rehabilitation models.

IV. OBSERVATIONS

37. During the reporting period, the NATO-led Implementation Force (IFOR) was withdrawn and in its place - and as its legal successor - the Peace Stabilization Force (SFOR) was established and deployed. This Force is currently the principal guarantor of the fragile peace that exists today in Bosnia and Herzegovina. There are two principal threats to that fragile peace: one is the continued friction between the Federation partners and the other the friction between the entities within the joint institutions.

38. The authorities in Bosnia and Herzegovina, assisted by the international community, are still in the first three months of the "stabilization" or "consolidation" period. While admirable progress has been achieved in some areas, particularly in the establishment of joint institutions in accordance with the Constitution of Bosnia and Herzegovina, progress in others remains dangerously slow. On the ground, tensions persist between the different ethnic communities, as reflected in the violence that has erupted all too often when displaced persons have attempted to return to their homes. The events of 10 February in Mostar are but the latest example of the serious challenges to the collective resolve of the international community. These challenges must be faced if the joint institutions and those of the Federation are to be able to work with the necessary confidence and mutual trust.

39. In one area of great importance to the United Nations - cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 - four of the five signatories to annex 1A of the Peace Agreement have yet to comply with their basic undertakings in the Agreement. I can only repeat my deep conviction that there will be no genuine peace in Bosnia and Herzegovina without justice. Reconciliation cannot take root if the people suspected of unspeakable crimes are able to move openly and live with impunity in the society. This issue must be addressed by the international community.

40. The Brcko arbitration award, announced on 14 February, places obligations on the authorities of the Republika Srpska, in particular, which they have so far been reluctant to implement in other parts of the entity. These obligations relate to freedom of movement, the return of refugees and the restructuring of

the police. Should the Security Council agree that IPTF should carry out the international policing proposed by the Brcko Implementation Conference, held at Vienna, the additional resources described in paragraph 11 above would be required. I would therefore recommend that the Council approve the proposed increase in the authorized strength of UNMIBH by 186 police and 11 civilian personnel.

41. I must caution, however, that the role proposed for IPTF in the Brcko area will need to be performed in close cooperation with SFOR. The principal task of IPTF will be to shape a local police force that will represent the interests of all the people in the area, regardless of ethnicity. IPTF will remain an unarmed force, without powers of arrest. As such, it will require the concerted and constant support of the international community to ensure that all parties play their part in achieving the goals of the arbitration award. Local police officers can be trained, their activities can be monitored and guidance can be given to them. However, the success of the police plan for Brcko will depend ultimately, as with the situation in Mostar, on the authorities on the ground and on the determination of the international community to see that those authorities live up to their commitments.

42. In its resolution 1088 (1996), the Security Council endorsed additional human rights investigation tasks for IPTF which have proven their usefulness in the follow-up to the 10 February incidents in Mostar. As explained in paragraphs 13 and 14 above, the IPTF Commissioner has determined that these additional tasks require that the force be strengthened with 120 police personnel. Accordingly, I recommend that the Security Council consider authorizing this increase, which would enable IPTF to discharge its expanded human rights mandate without undermining its ability to carry out its basic monitoring functions throughout the country.

43. The financial implications of the recommended increases of 306 personnel in the strength of IPTF and 11 additional civilian staff will be circulated in an addendum to the present report.

44. To conclude, I should like to pay tribute to my former Special Representative, Mr. S. Iqbal Riza, and the former IPTF Commissioner, Mr. Peter FitzGerald, for their selfless contribution to the UNMIBH mission during its first year of operation. I would also like to pay tribute to the many able women and men on their staff for their dedicated work in leading the United Nations contribution to the international community's efforts to bring lasting peace to Bosnia and Herzegovina.

Composition of the International Police Task Force as of 10 March 1997*

Argentina	39
Austria	24
Bangladesh	21
Bulgaria	48
Canada	5
Denmark	37
Egypt	25
Estonia	9
Finland	12
France	99
Germany	151
Ghana	89
Greece	5
Hungary	31
India	80
Ireland	31
Jordan	90
Malaysia	8
Nepal	137
Netherlands	51
Nigeria	16
Pakistan	127
Poland	24
Portugal	50
Russian Federation	37
Senegal	51
Spain	47
Sweden	39
Switzerland	2
Turkey	26
Ukraine	33
United Kingdom of Great Britain and Northern Ireland	1
United States of America	160
Total	1 605

* The number of civilian police monitors may vary owing to rotations.